

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

GREGORY L. HITCHCOCK,

Plaintiff,

v.

BERING STAR LLC,

Defendant.

AT LAW AND IN ADMIRALTY

No.: 2:21-cv-01475-JHC

ORDER RE: STIPULATED MOTION TO
CONTINUE CERTAIN PRE-TRIAL
DEADLINES

This matter comes before the Court on the parties' Stipulation and Proposed Order to Continue Certain Pre-Trial Deadlines ("Motion"). Dkt. # 11. Having considered the Motion and the governing law, the Court GRANTS in part and DENIES in part the Motion.

Trial is set for December 12, 2022. Dkt. # 10. The parties seek extension of the deadlines for (1) disclosure of expert testimony, (2) filing of discovery motions, (3) completion of discovery, and (4) filing of dispositive motions and motions challenging expert witness testimony. Dkt. # 11. The current deadlines for each are as follows: disclosure of expert testimony (June 15, 2022), filing of discovery motions (July 15, 2022), completion of discovery (August 15, 2022), and filing of dispositive motions and motions challenging expert witness testimony (September 13, 2022). Dkt. # 10. The parties seek the following deadlines: disclosure of expert testimony (August 15, 2022), filing of discovery motions (September 13,

2022), completion of discovery (September 13, 2022), and filing of dispositive motions and motions challenging expert witness testimony (October 13, 2022). Dkt. # 11.

The Court issues scheduling orders setting trial dates and related dates to provide a reasonable schedule for resolving disputes. First, the Court generally sets the discovery motions deadline 30 days before the deadline for discovery to allow the Court to resolve the motions within the discovery period. Second, the Court generally sets the discovery cut-off 30 days before the deadline for filing dispositive motions to ensure that the Court has before it a complete record when it considers a motion that might dispose of the case. Third, the schedule generally provides 90 days between the deadline for filing dispositive motions and the trial date. This 90-day period considers: (a) an approximate 30-day lag between the date a party files a motion and the date that motion becomes ripe for the Court's consideration, *see* Local Rules W.D. Wash. LCR 7(d)(3); and (b) another 30 days during which the Court endeavors to rule on the motion, *id.* LCR 7(b)(5).

The Federal Rules of Civil Procedure provide that a schedule may be modified only for good cause and with the judge's consent. Fed. R. Civ. P. 16(b)(4). In support of their motion, the parties state that the "purpose of this request is to allow additional fact discovery and investigation prior to expert disclosures." Dkt. # 11.

The Court will grant the parties motion in part. The deadlines for disclosure of expert testimony, filing of discovery motions, and completion of discovery are extended as requested. This makes the new deadlines: August 15, 2022, September 13, 2022, and September 13, 2022, respectively. However, the Court is disinclined to adopt the parties' proposed deadline for dispositive motions and motions challenging expert witness testimony, as extending the deadline by one month could put the trial date in jeopardy. Substantially shortening the time between the dispositive motions deadline and the trial date would leave inadequate time for the parties to consider the Court's ruling and plan for trial or an alternate resolution. The new

1 deadline for filing dispositive motions and motions challenging expert witness testimony is
 2 September 15, 2022. All other deadlines will remain unchanged. The Court cautions the
 3 parties that if they wish to seek additional extensions, they must be prepared to show good
 4 cause. The Clerk is directed to send uncertified copies of this order to all counsel of record
 5 and to any party appearing *pro se* at said party's last known address.

7 EVENT	OLD DATE	NEW DATE
8 Disclosure of expert testimony under FRCP 26(a)(2)	06/15/22	08/15/2022
9 All motions related to discovery must be filed by (<i>see</i> LCR 7(d))	07/15/22	09/13/2022
10 Discovery Completed by	08/15/22	09/13/2022
11 All dispositive motions and motions challenging expert witness testimony must be filed by (<i>see</i> LCR 7(d))	09/13/22	09/15/2022

13 Dated this 7th day of June, 2022.

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 16 JOHN H. CHUN
 17 U.S. DISTRICT JUDGE
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